

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

NEW HAMPSHIRE INDONESIAN  
COMMUNITY SUPPORT, *et al.*,

Plaintiffs,

V.

DONALD TRUMP, President of the United States, in his official capacity *et al.*,

Defendants.

Case No. 1:25-cv-00038-JL-TSM

**CONSENT MOTION OF  
AMERICA’S FUTURE, GUN OWNERS OF AMERICA, INC., GUN OWNERS  
FOUNDATION, CITIZENS UNITED, U.S. CONSTITUTIONAL RIGHTS LEGAL  
DEFENSE FUND, LEADERSHIP INSTITUTE, AND CONSERVATIVE LEGAL  
DEFENSE AND EDUCATION FUND FOR LEAVE TO FILE BRIEF *AMICUS CURIAE*  
IN OPPOSITION TO PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION**

On the grounds and for the reasons set forth below, movants, through undersigned counsel, pursuant to F.R.Civ.P. 7, move this Court for leave to file a Brief *Amicus Curiae* in opposition to Plaintiffs’ Motion for Preliminary Injunction.

Counsel for Plaintiffs and Defendants have consented to this Motion and to the filing of the attached brief *amicus curiae*. This brief is timely as it is being filed by the deadline allowed for Defendants' brief in opposition to the motion for preliminary injunction and within the appropriate page limits.

Movants America’s Future, Gun Owners Foundation, U.S. Constitutional Rights Legal Defense Fund, Leadership Institute, and Conservative Legal Defense and Education Fund are exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code

(“IRC”). Movants Gun Owners of America, Inc. and Citizens United are exempt from federal income taxation under IRC Section 501(c)(4). Each organization participates actively in the public policy process, and has filed numerous *amicus curiae* briefs in federal and state courts, defending a proper interpretation of the U.S. Constitution.

A separate memorandum to this motion is unnecessary as all arguments are set forth herein. *See* Local Rule 7.1(a)(2).

**I. THIS CASE PRESENTS A CONSTITUTIONAL MATTER AND STATUTORY ISSUE OF GREAT IMPORTANCE.**

This case raises significant questions of constitutional and statutory interpretation with respect to whether President Trump’s Executive Order at issue is lawful. The Executive Order invalidates some of the commonly accepted applications and interpretations of “birthright citizenship,” which is a concept that Plaintiffs claim to be rooted in the Fourteenth Amendment.

**II. THE *AMICUS CURIAE* BRIEF ADDRESSES ARGUMENTS RAISED BY PLAINTIFFS AND SUPPLEMENTS ARGUMENTS RAISED BY DEFENDANTS.**

Movants’ proposed *amicus curiae* brief submitted with this Motion supports the position of Defendants, but supplements the arguments and authorities that it anticipates that the Defendants will provide in their opposition to the Motion for Preliminary Injunction. The *amicus brief* provides relevant history of the Fourteenth Amendment and the Immigration and Nationality Act, as well as historical explanation of the error in Plaintiff’s reading of *Yong Kim Ark* and other Supreme Court decisions.

### III. THE ACCEPTANCE OF BRIEFS *AMICUS CURIAE* HAS BEEN FOUND USEFUL IN CASES SUCH AS THIS.

District courts have inherent power to grant leave to file briefs *amicus curiae*, as they often “provide helpful analysis of the law[,] they have a special interest in the subject matter of the suit[,] or existing counsel is in need of assistance.” *Bryant v. Better Business Bureau of Greater Maryland, Inc.*, 923 F.Supp. 720, 728 (D. Md. 1996). Furthermore, this Court has already granted leave of other *amici* to file an *amicus* brief in support of Plaintiffs’ Motion for Preliminary Injunction. *See* Endorsed Order Granting Motion of *Amici* Local Officials (Jan. 29, 2025). For the reasons stated above, it is believed that this *amicus* brief will inform the Court’s effort to resolve the question before it.

Given the nationwide significance of this case, and its profound implications for all Americans, movants respectfully request leave to file the accompanying brief *amicus curiae* in opposition to Plaintiffs’ Motion for Preliminary Injunction.

Respectfully submitted,

/s/ Phillip E. Marbury  
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January 31, 2025

*Counsel for Movants  
 America’s Future, et al.*

**Certificate of Service**

I hereby certify that I served the foregoing Consent Motion for Leave to File Brief *Amicus Curiae* in Opposition to Plaintiffs' Motion for Preliminary Injunction on counsel for the parties using the Court's Electronic Case Filing system.

January 31, 2025

/s/ Phillip E. Marbury  
Phillip E. Marbury